KA/: G-GPO / 2515 / WPP-47 / 2009-2011

ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ ೧೪೫ | ಬೆಂಗಳೂರು, ಗುರುವಾರ, ನವೆಂಬರ್ ೧೮, ೨೦೧೦ (ಕಾರ್ತೀಕ ೨೭, ಶಕ ವರ್ಷ ೧೯೩೨) | ಸಂಚಿಕೆ ೪೫

ಭಾಗ – ೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರದ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 37 ಕೇಶಾಪ್ರ 2010, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 21ನೇ ಅಕ್ಟೋಬರ್, 2010

2010ನೇ ಸಾಲಿನ ಆಗಸ್ಟ್ 25ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II, ಸೆಕ್ಷೆನ್ 1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The State Bank of India (Amendment) Act, 2010 (No. 27 of 2010) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, August 25, 2010 Bhadra 3, 1932 (Saka)

The following Act of Parliament received the assent of the President on the 24th August, 2010, and is hereby published for general information:-

THE STATE BANK OF INDIA (AMENDMENT) ACT, 2010

No. 27 of 2010

(24th August, 2010)

An Act further to amend the State Bank of India Act, 1955.

Be it enacted by Parliament in the Sixty-first year of the Republic of India as follows:-

1. Short title and commencement :- (1) This Act may be called the State Bank of India (Amendment) Act, 2010.

(2) It shall come into force on such date as the Central (Government may, by notification in the Official Gazette, appoint:

Provided that different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

2. Amendment of Section 2:- In section 2 of the State Bank of India Act, 1955(23 of 1955) (hereinafter referred to as the Principal Act), clause (I) shall be omitted.

3. Substitution of new section for section 4 Authorised capital :- For section 4 of the Principal Act, the following section shall be substituted namely:-

"4. Subject to the provisions of this Act, the authorised capital of the State Bank shall be five thousand crores of rupees divided into five hundred crores of fully paid-up shares of ten rupees each:

Provided that the Central Board may reduce the nominal or face value of the shares, and divide the authorised capital into such denomination as it may decide with the approval of the Reserve Bank:

Provided further that the Central Government may, in consultation with the Reserve Bank, increase or reduce the authorised capital so however that the shares in all cases shall be fully paid-up shares.".

4. Amendment of Section 5 :- In section 5 of the principal Act,-

(a) for sub-section (2), the following sub-section shall be substituted, namely:-

"(2) The issued capital of the State Bank shall consist of equity shares or equity and preference shares:

Provided that the issue of preference shares shall be in accordance with the guidelines framed by the Reserve Bank specifying the class of preference shares, the extent of issue of each class of such preference shares (whether perpetual or irredeemable or redeemable) and the terms and conditions subject to which, each class of preference shares may be issued:

Provided further that the Central Board may from time to time increase, with the previous approval of the Reserve Bank and the Central Government, 'whether by public issue or rights issue or preferential allotment or private placement, in accordance with the procedure as may be prescribed, the issued capital by the issue of equity or preference shares:

Provided also that the Central Government shall, at all times, hold not less than fifty-one percent. of the issued capital consisting of equity shares of the State Bank.";

(b) after sub-section (3), the following sub-sections shall be inserted, namely:--

"(4) Subject to the provisions contained in sub-section (2), the Central Board may increase from time to time, by way of issuing bonus shares to existing equity shareholders, the issued capital in such manner as the Central Government may, after consultation with the Reserve Bank, direct.

(5) The State Bank may, accept the money in respect of shares issued towards increase in the issued capital in instalments, make calls, forfeit unpaid shares and re-issue them, in such manner as may be prescribed.".

5. Amendment of Section 10:- In section 10 of the principal Act, in sub-section (2), for the words "fifty-five per cent. of the issued capital", the words "fifty-one per cent. of the issued capital consisting of equity shares," shall be substituted.

6. Insertion of new section l0A :- After section 10 of the principal Act, the following section shall be inserted, namely:-

" l0A. Right of registered shareholders to nominate :- (1) Every individual registered shareholder may, at any time, nominate, in the prescribed manner, an individual to whom all his rights in the shares shall vest in the event of his death.

(2) Where the shares are registered in the name of more than one individual jointly, the joint holders may together nominate in the prescribed manner, an individual to whom all their rights in the shares shall vest in the event of the death of all the joint holders.

(3) Notwithstanding anything contained in any other law for the time being in force or in any disposition. whether testamentary or otherwise, where a nomination in respect of shares is made in the prescribed manner and which purports to confer on the nominee the right to vest the shares, the nominee shall, on the ·death of the shareholder or, as the case may be, on the death of all the joint holders, become entitled to all the rights of the shareholder or, as the case may be, of all the joint holders, in relation to such shares and all other persons shall be excluded unless the nomination is varied or cancelled in the prescribed manner.

(4) Where the nominee is a minor, it shall be lawful for the individual registered holder of the shares to make nomination to appoint, in the prescribed manner, any person to become entitled to the shares in the event of his death during the minority of the nominee,

7. Amendment of section 11 :- In section 11 of the principal Act, after the proviso, the following provisos shall be inserted, namely:-

"Provided further that the shareholder holding any preference share capital in the State Bank shall, in respect of such capital, have a right to vote only on resolutions placed before the State Bank which directly affect the rights attached to his preference shares:

Provided also that no preference shareholder, other than the Central Government, shall be entitled to exercise voting rights in respect of preference shares held by him in excess of ten percent. Of total voting rights of all the shareholders holding preference share capital only.".

8. Amendment of section 13:- In section 13 of the principal Act, in sub-section (2), for the words "in computer floppies or diskettes", the words "in computer floppies or diskettes or any other electronic form" shall be substituted.

9. Amendment of section 16:- In section 16 of the principal Act,-

(a) in sub-section (1), for the word "Bombay", the words "Mumbai, and shall also be known as Corporate Centre" shall be substituted;

(b) in sub-section (2), for the words "Bombay, Calcutta and Madras", the words "Mumbai, Kolkata and Chennai" shall be substituted.

10. Amendment of section 19:- In section 19 of the principal Act,-

(a) in clause (a) the words "and a vice-chairman" shall be omitted; *(b)* for clause *(b),* the following clause shall be substituted, namely:-

"(b) such number of managing directors not exceeding four, as may be appointed by the Central Government in consultation with the Reserve Bank;";

(c) clause (bb) shall be omitted;

(d) in clause (d), the words "in consultation with the Reserve Bank," shall be omitted;

(e) for clause (f), the following clause shall be substituted, namely:-

"(f) one director, possessing necessary expertise and experience in matters relating to regulation or supervision of commercial banks to be nominated by the Central Government on the recommendation of the Reserve Bank.".

11. Insertion of new sections 19A and 19B.-After section 19 of the principal Act, the following sections shall be inserted, namely:-

"19A. **Qualifications for election of directors elected by shareholders.-** (1)The directors elected under clause *(c)* of section 19 shall-

(a) have special knowledge or experience in respect of one or more of the following areas, namely:-

(I) agriculture and rural economy,

(ii) banking,

(iii) co-operation,

(iv) economics,

(v) finance,

(vi) law,

(vii) small-scale industry,

(viii) any other area the special knowledge of, and experience in, which in the opinion of the Reserve Bank shall be useful to the State Bank;

(b) represent the interests of depositors; or

(c) represent the interests of farmers, workers and artisans.

(2) Without prejudice to the provisions of sub-section (I) and not withstanding anything to the contrary contained in this Act or in any other law for the time being in force, no person shall be eligible to be elected as director under clause (c) of section 19 unless he is a person having fit and proper status based upon track record, integrity and such other criteria as the Reserve Bank may notify from time to time in this regard and the Reserve Bank may specify in the notification issued under this sub–section, the authority to determine the fit and proper status, the manner of such determination, the procedure to be followed for such determinations and such other matters as may be considered necessary or incidental thereto.

(3) Where the Reserve Bank is of the opinion that may director of the State Bank elected under clause (c) of section 19 does not fulfill the requirements of sub-sections (1) and (2), it may, after giving to such director and the State Bank a reasonable opportunity of being heard, by order, remove such director.

(4) On the removal of a director under sub-section (3), the Central Board shall co-opt any other person fulfilling the requirements of sub-sections (1) and (2), as a director in place of the person so removed, till a director is duly elected by the shareholders of the State Bank in the next annual general meeting; and the person so co-opted shall be deemed to have been duly elected by the shareholders of the State Bank as a director.

19B. **Power of Reserve Bank to appoint additional directors:-**

(1) If the Reserve Bank is of the opinion that in the interest of banking policy or in the public interest or in the interests of the State Bank or its depositors, it is necessary so to do, it may, from time to time and by order in writing appoint, with effect from such date as may be specified in the order, one or more persons as additional directors of the State Bank.

(2) Any person appointed as additional director under sub-section (1) shall.-

(a) hold office during the pleasure of the Reserve Bank and subject thereto for a period not exceeding three years or such further periods not exceeding three years at a time as the Reserve Bank may, by order, specify;

(b) not incur any obligation or liability by reason only of his being an additional director or for anything done or omitted to be done in good faith in the execution of the duties of his office or in relation thereto; and

(c) not be required to hold qualification shares in the State Bank.

(3) For the purpose of reckoning any proportion of the total number of directors of the State Bank, any additional director appointed under this section shall not be taken into account."

12. Amendment of section 20 :- In section 20 of the principal Act,-

(a) in sub-section (1), the words, "vice-chairman" shall be omitted;

(b) in sub-section (1A), the word, "vice-chairman", occurring at both the places, shall be omitted;

(c) in sub-section (3A), the words "and thereafter until his successor shall have been duly appointed or nominated" shall be omitted.

13. Amendment of section 21:- In section 21 of the principal Act,

(a) in sub-section (1)-

(I) for clause (a), the following clause shall be substituted, namely.-

"(a) the chairman, *ex officio* or the managing director nominated by the chairman"

(ii) in clause (c), the words "in consultation with the Reserve Bank" shall be omitted;

(b) in sub-section (5), for the words "Governor of the Reserve Bank", the words, "Central Government" shall be substituted.

14. Substitution of new section for section 21B:- For section 21B of the principal Act, the following section shall be substituted, namely.-

"21B Powers of Local Board:- In respect of the area falling within the jurisdiction of the local head office for which the Local Board has been constituted, a Local Board shall, subject to such general or special direction as the Central Board may give from time to time, exercise such powers and perform such duties and functions as may be entrusted or delegated to it by the Central Board."

15. Amendment of section 21C:- In section 21C of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely;-

"(2) The chairman or the managing director nominated by him shall be an ex-officio member of every such Local Committee."

16. Amendment of section 22:- In section 22 of the principal Act, in sub-section (1)-.

(a) in clause (d), the word "vice-chairman" shall be omitted;

(b) for clause (h), the following clause shall be substituted, namely:-

"(h) in the case of an elected director, he is not registered as a holder in his own right of unencumbered shares in the State Bank, either as sole holder or as first named holder when jointly held, of a nominal value of at least five thousand rupees;".

17. Amendment of section 23:- In section 23 of the principal Act, in clause (b), the word "vice-chairman" shall be omitted.

18. Amendment of section 24:- In section 24 of the principal Act,-

(a) in sub-section (1), the word, " vice-chairman" shall be omitted:

(b) in sub-section (3), the words "after consulting the Reserve Bank," shall be omitted.

19. Insertion of new section 24A:- After section 24 of the principal Act, the following section shall be inserted, namely:-

"24A. Supersession of Central Board in certain cases :- (1) Where the Central Government, on the recommendation of the Reserve Bank is satisfied that in the public interest or for preventing the affairs of the State Bank being conducted in a manner detrimental to the interest of the depositors or the State Bank or for securing the proper management of the State Bank, it is necessary so to do, the Central Government may, for reasons to be recorded in writing, by order, supersede the Central Board for a period not exceeding six months as may be specified in the order.

Provided that the period of supersession of the Central Board may be extended from time to time. so, however, that the total period shall not exceed twelve months.

(2) On supersessions of the Central Board under sub-section (1), the Central Government may, in consultation with the Reserve Bank, appoint an Administrator (not being an officer of the Central Government or a State Government) who has experience in law, finance, banking, economics or accountancy, for such period as it may determine.

(3) The Central Government may issue such directions to the Administrator as it may consider necessary and the Administrator shall be bound to follow such directions.

(4) Notwithstanding anything contained in this Act, upon making the order of supersession of the Central Board –

(a) the chairman, managing director and other directors shall, as from the date of supersession, vacate their offices as such;

(b) all the powers, functions and duties which may, by or under the provisions of this Act or any other law for the time being in force, be exercised and discharged by or on behalf of the Central Board, or by a resolution passed in the general meeting of the State Bank, shall, until the Central Board is reconstituted, be exercised and discharged by the Administrator appointed under sub-section (2):

Provided that the powers exercised by the Administrator shall be valid notwithstanding that such power is also exercisable by a resolution passed in the general meeting of the State Bank.

(5) The Central Government may, in consultation with the Reserve Bank, constitute a committee of three or more persons who have experience in law. finance, banking, economics or accountancy to assist the Administrator in the discharge of his duties.

(6) The committee shall meet at such times and places and observe such rules of procedure as may be specified by the rules made under this Act.

(7) The salary and allowances of the Administrator and the members of the committee shall be such as may be specified by the rules made under this Act and be payable by the State Bank.

(8) On and before the expiration of two months before the expiry of the period of supersession of the Central Board, the Administrator of the State Bank shall call the general meeting of the State Bank to elect new directors and re-constitute the said Board.

(9) Notwithstanding anything contained in any other law for the time being in force or in any contract, no person shall be entitled to claim any compensation for the loss or termination of his office on supersession of the Central Board.

(10) The Administrator appointed under sub-section (2) shall vacate office immediately after the re-constitution of the Central Board."

20. Amendment of section 25:- In section 25 of the principal Act,**-**

(a) in sub-section (1), the word," vice-chairman" shall be omitted:

(b) in sub-section (2),-

(I) the word," vice-chairman" shall be omitted;

(ii) in clause (b), the words " in consultation with the Reserve Bank" shall be omitted.

21. Omission of section 28:- Section 28 of the principal Act shall be omitted.

22. Amendment of section 29:- In Section 29 of the principal Act, sub-section (1),-

(a) in clause (a), the word," and" shall be omitted:

(b) in clause (b),-

(I) the words," and the vice-chairman" shall be omitted;

(ii) at the end, the word," and" shall be inserted;

(c) after clause (b), the following clause shall be inserted, namely:-

"(c) when authorised by the chairman, shall preside at the meetings of the Central Board in his absence."

23. Amendment of section 31:- In section 31 of the principal Act,-

(a) for sub-sections (1) and (2), the following sub-sections shall be substituted, namely:-

"(1) The Central Board shall meet at such time and place and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed; and the meeting of the Central Board may be held by participation of the directors of the Central Board through videoconferencing or such other electronic means, as may be prescribed, which are capable of recording and recognising the participation of the directors and the proceedings of such meetings are capable of being recorded and stored;

Provided that the Central Government may in consultation with the Reserve Bank, by notification in the Official Gazette, specify the matters which shall not be discussed in a meeting of the Central Board held through videoconferencing or such other electronic means.

(2) All questions at the meeting shall be decided by a majority of the votes of the directors present in the meeting or through videoconferencing or such other electronic means and in the case of equality of votes the chairman or, in his absence, the managing director authorised by the chairman shall have a second or casting vote.",

(b) in sub-section (4), for the word "vice –chairman", the words "managing director authorised by the chairman" shall be substituted.

24. Amendment of section 31A:- In section 31A of the principal Act, in sub-section(5), the for the words" the vice chairman, if he is a member of the Local Board". the words" the managing director authorises by the chairman" shall be substituted.

25. Insertion of new section 38A:- After section 38 of the principal Act, the following section shall be inserted, namely:-

Transfer of unpaid or unclaimed dividend '38A. (1) Where, after the commencement of the State Bank of India (Amendment) Act, 2010, a dividend has been declared by the State Bank but which has not been paid to a shareholder or claimed by any shareholder or claimed by any shareholder entitled to it, within thirty days from the date of declaration, the State Bank shall, within seven days from the date of expiry of the said period of thirty days, transfer the total amount of dividend which remains unpaid, of unclaimed, to a special account to be named, the "unpaid dividend account" maintained by it.

Explanation.-In this sub-section, the expression "dividend which remains unpaid" means any dividend the warrant in respect thereof has not been encashed or which has otherwise not been paid or claimed.

(2) Where the whole or any part of any dividend, declared by the State Bank before the commencement of the State Bank of India (Amendment) Act, 2010, remains unpaid at such commencement, the State Bank shall, within a period of six months from such commencement, transfer such unpaid amount to the account referred to in sub-section (1).

(3) Any money transferred to the unpaid dividend account of the State Bank, in pursuance of this section which remains unpaid or unclaimed for a period of seven years from the date of such transfer shall be transferred by the

State Bank to the Investor Education and Protection Fund established under sub-section (1) of section 205C of the Companies Act, 1956 (1 of 1956) for being utilised for the purpose and in the manner specified in that section".

26. Amendment of section 39:- In section 39 of the principal Act, for the word "December", the word "March" shall be substituted.

27. Amendment of section 40:- In section 40 of the principal Act.-

(a) in sub-section (1), for the word "December", the word "March" shall be substituted;

(b) for sub-section (2), the following sub-section shall be substituted, namely:-

"(2) The balance sheet and the profit and loss account shall be signed by the chairman, managing directors and at three other directors of the Central Board.".

28. Amendment of section 41:- In section 41 of the principal Act.-

(a) in sub-section (1), for the words "the Reserve Bank in consultation with the Central Government". the words "the State Bank with the previous approval of the Reserve Bank" shall be substituted;

(b) in sub-section (5), for the words "the Reserve Bank". the words "the State Bank with the previous approval of the Reserve Bank" shall be substituted.

29. Substitution of new section for section 42:- For section 42 of the principal Act, the following section shall be substituted, namely:-

"42. Balance sheet, etc. of State Bank may be discussed at general meeting. (1) An annual general meeting shall be held in each financial year at the Corporate Centre or at such other place in Mumbai other than the Corporate Centre or at such other place in India and at such time, as shall from time to time be specified by the Central Board and a general meeting other than an annual general meeting may be convened by the State Bank at any other time and at such place in India as shall from time to time be specified by the Central Board:

Provided that such annual general meeting shall be held before the expiry of six weeks from the date on which the balance sheet together with the profit and loss account and auditors' report, under of section (1) of section 40, is forwarded to the Central Government or to the Reserve Bank, whichever date is earlier.

(2) The shareholders present at an annual general meeting shall be entitled to discuss and adopt the balance sheet and the profit and loss account of the State Bank made up to the previous 31st day of March or the date specified under section 39, as the case may be, the report of the Central Board on the working and activities of the State Bank for the period covered by the accounts and the auditors' report on the balance sheet and accounts.".

30. Amendment of section 43:- In Section 43 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:-

"(2) The officers, advisers and employees of the State Bank shall individually or jointly or with other officers, advisers and employees in a Local Committee exercise such powers and perform such duties as may by general or special order, be entrusted or delegated to them by the Central Board or its executive committee."

31. Amendment of section 49:- In section 49 of the principal Act, in sub-section (2) after clause (c), the following clauses shall be inserted, namely:-

"(d) the time and place or meeting of the Committee and the rules of procedure to be observed by it under sub-section (6) of section 24A;

(e) the salary and allowances of the Administrator and the members of the committee under sub-section (7) of section 24A".

32. Amendment of section 50:- In section 50 of the principal Act, in sub-section (2).-

(i) after clause (a), the following clauses shall be inserted, namely:-

"(aa) the procedure for increasing issued capital by the issue of equity or preference shares under sub-section (2) and the manner of accepting money for issued capital, forfeiture and re-issue of shares under sub-section (5), of section 5;

(ab) the manner of nominating an individual by one individual under sub-section (1), the manner of nominating an individual by the joint holders under sub-section (2), the manner of varying or cancellation of nomination under sub-section (3), and the manner of nominating a minor under sub-section (4), of section 10A;";

(ii) in clause (b); for the words "floppies or diskettes"., the words "floppies or diskettes or any other electronic form" shall be substituted.

33. Amendment of enactment:- The enactment specified in the Schedule is hereby amended to the extent and in the manner as given below:-

THE SCHEDULE

(See section 33)

Short title

The State Bank India (Subsidiary Banks) Act, 1959

(38 of 1959)

In section 26, in sub-section (2A), the words "and thereafter until his successor shall have been duly appointed" shall be omitted.

V. K. BHASIN,

Secy. to the Govt. of India

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ,

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,

P.R. No. 52 ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 26 ಕೇನಿಪ್ರ 2010, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 20ನೇ ಅಕ್ಟೋಬರ್, 2010

2010ನೇ ಸಾಲಿನ ಅಗಸ್ಟ್ 18 ಮತ್ತು 21ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II, ಸೆಕ್ಷೆನ್ 3(ii)ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ (1) S.O. 2038 (E) (Notification No. F.No. L. 303/DADG/2010, dated 18-08-2010) ಮತ್ತು (2) S.O. 2049(E) (Notification No. RS 8/3/2009-L dated 21-08-2010) ಗಳನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

NOTIFICATION

New Delhi, the 18th August, 2010

S.O. 2038(E).-In exercise of the powers conferred by sub-section (3) of Section 1 of the Food safety and Standards Act, 2006 (34 of 2006), the Central Government hereby appoints the 18th day of August, 2010 as the day on which the provisions of Section 22 [except in respect of matters relating to the genetically engineered or modified food as explained in clause (2) of the Explanation] of the said Act, shall come into force.

[F. No. L. 303/DADG/2010]

VINEET CHAWDHARY, Jt. Secy.

PARLIAMENT OF INDIA

RAJYA SABHA SECRETARIAT

NOTIFICATION

New Delhi, the 21st August, 2010

S.O. 2049(E).-In continuation of the notification of even number dated the 20th May, 2010 regarding re-constitution of a Committee under the Judges (Inquiry) Act, 1968, Hon'ble Mr. Justice J.S. Khehar, a Member of the committee and the then Chief

Justice of Uttarakhand High Court, has since been transferred by the President to the Karnataka High Court and has taken the oath of office of that High Court.

[No. RS 8/3/2009-L]

V. K. AGNIHOTRI, Secy. Genl

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ,

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,

PR. No.53 ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 32 ಕೇನಿಪ್ರ 2010, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 21ನೇ ಅಕ್ಟೋಬರ್, 2010

2010ನೇ ಸಾಲಿನ ಆಗಸ್ಟ್ 19ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷೆನ್ 1ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Industrial Disputes (Amendment) Act, 2010 (No. of 2010) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

NOTIFICATION

New Delhi, Thursday, the 19th August, 2010

The following Act of Parliament received the assent of the President on the 18th August 2010, and is hereby published of general information:-

THE INDUSTRIAL DISPUTES (AMENDMENT) ACT,2010

NO.24 OF 2010

An Act further to amend the Industrial Disputes Act,1947.

BE it enacted by Parliament in the Sixty-first Year of the Republic of India as follows:-

1. Short title and commencement . (1) This Act may be called the Industrial Disputes (Amendment) Act, 2010.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Amendment of section2.-In the Industrial Disputes Act, 1947 (14 of 1947) (hereinafter referred to as the principal Act), in section 2,-

(i) in clause (a),-

(a) in sub-clause (i), for the words "major port, the Central Government, and ", the words" major port, any company in which not less than fifty-one percent. of the paid-up share capital is held by the Central Government, or any corporation, not being a corporation referred to in this clause, established by or under any law made by Parliament, or the Central public sector undertaking, subsidiary companies set up by the principal undertaking and autonomous bodies owned or controlled by the Central Government, the Central Government, and" shall be substituted;

(b) for sub-clause(ii), the following sub-clause shall be substituted, namely:-

"(ii) in relation to any other industrial dispute, including the State public sector undertaking, subsidiary companies set up by the principal undertaking and autonomous bodies owned or controlled by the State Government, the State Government:

Provided that in case of a dispute between a contractor and the contract labour employed through the contractor in any industrial establishment where such dispute first arose, the appropriate Government shall be the Central Government or the State Government, as the case may be, which has control over such industrial establishment."

(ii) in clause (s), in sub-clause (iv), for the words "one thousand six hundred rupees", the words "ten thousand rupees" shall be substituted.

3. Amendment of section2A:- Section 2A of the principal Act shall numbered as sub-section (1) thereof and after sub-section (I) as so numbered, the following sub-sections shall be inserted, namely:-

"(2) Notwithstanding anything contained in section 10, any such workman as is specified in sub-section (1) may, make an application direct to the Labour Court or Tribunal for adjudication of the dispute referred to therein after the expiry of forty-five days from the date he has made the application to the Conciliation Officer of the appropriate Government for conciliation of the dispute, and in receipt of such application the Labour Court or Tribunal shall have powers and jurisdiction to adjudicate upon the dispute, as ifit were a dispute referred to it by the appropriate Government in accordance with the provisions of this Act and all the provisions of this Act shall apply in relation to such adjudication as they apply in relation to an industrial dispute referred to it by the appropriate Government.

(3) The application referred to in sub-section (2) shall be made to the Labour Court or Tribunal before the expiry of three years from the date of discharge, dismissal, retrenchment or otherwise termination of service as specified in sub-section (1).".

4. Amendment of section 7:- In section 7 of the principal Act, in sub-section (3), after clause (e), the following clauses shall be inserted, namely:-

"(f} he is or has been a Deputy Chief Labour Commissioner (Central) or Joint Commissioner of the State Labour Department, having a degree in law and at least seven years' experience in the labour department including three years of experience as Conciliation Officer: .

Provided that no such Deputy Chief Labour Commissioner or Joint Labour Commissioner shall be appointed unless he resigns from the service of the Central Government or State Government, as-the case may be, before being appointed as the presiding officer; or

(g) he is an officer of lndian Legal Service in Grade III with three years' experience in the grade.".

5. Amendment of section 7A:- In section 7 A of the principal Act, in sub-section (3), after clause (aa), the following clauses shall be inserted, namely:-

"(b) he is or has been a Deputy Chief Labour Commissioner (Central) or Joint Commissioner of the State Labour Department,. having a degree in law and at least seven years' experience in the labour department including three years of experience as Conciliation Officer:

Provided that no such Deputy Chief Labour Commissioner or Joint Labour Commissioner shall be appointed unless he resigns from the service of the Central Government or State Government, as the case may be, before being appointed as the presiding officer; or

(c) heis an officer of Indian Legal Service in Grade III with three year's experience in the grade."

6. Substitution of new Chapter for Chapter IIB:- After section 9B of the Principal Act Chapter IIB, the following Chapter shall be substituted, namely:-

"CHAPTER IIB

GRIEVANCE REDRESSAL MACHINERY

9C. Setting up of Grievance Redressal Machinery:- (I) Every industrial establishment employing twenty or more workmen shall have one or more Grievance Redressal Committee for the resolution of disputes arising out of individual grievances. -

(2) The Grievance Redressal Committee consist of equal number of members from the employer and the workmen.

(3) The chairperson of the Grievance Redressal Committee shall be selected from the employer and from among the workmen alternatively on rotation basis every year.

(4) The total number of members of the Grievance Redressal Committee shall not exceed more than six:

Provided that there shall be, as far as practicable, one woman member if the Grievance Redressal Committee has two members and in case the numbers of members are more than two, the number of women members may be increased proportionately.

(5) Notwithstanding anything contained in this section, the setting up of Grievance Redressal Committee shall not affect the right of the workman to raise industrial dispute OR the same matter under the provisions of this Act.

(6) The Grievance Redressal Committee may complete its proceedings within thirty days on receipt of a written application by or on behalf of tile aggrieved party.

(7) The workman who is aggrieved of the decision of the Grievance Redressal Committee may, refer an appeal to the employer against the decision of Grievance Redressal Committee and the employer shall, within one month from the date of receipt of such appeal, dispose off the same and send a copy of his decision to the workman concerned.

(8) Nothing contained in this section shall app Iy to the workmen for whom there is an established Grievance Redressal Mechanism in the establishment concerned.".

7. Amendment of section 11:- In section 11 of the principal Act, after sub-section (8), the following sub-sections shall be inserted, namely~-

"(9) Every award made, order issued entitlement arrived at by or before Labour Court or Tribunal or National Tribunal shall be executed in accordance with the procedure laid down for execution of orders and decree of a Civil Court under order 21 of the Code of Civil Procedure, 1908. (5 of 1908)

(10) The Labour Court or Tribunal or National Tribunal, as the case may be, shall transmit any award, order or settlement to a Civil Court having jurisdiction and such Civil Court shall execute the award, order or settlement as if it were a decree passed by it.".

8. Amendment of section 38:- In section 38 of the principal Act, in sub:-section (2),

(I} clause (ab) shall be omitted;

(ii) for clause (c), the following clause shall be substituted, namely:-

"(c) the salaries and allowances and the terms and conditions for appointment of the presiding officers of the Labour Court, Tribunal and the National Tribunal including the allowances admissible to members of Courts, Boards and to assessors and witnesses;".

VK.BHASIN,

Secy. to the Govt. of India

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ,

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,

PR. No.54 ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 38 ಕೇಶಾಪ್ರ 2010, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 21ನೇ ಅಕ್ಟೋಬರ್, 2010

2010ನೇ ಸಾಲಿನ ಸೆಪ್ಟೆಂಬರ್ 1ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ-II, ಸೆಕ್ಷೆನ್ 1ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Personal Laws (Amendment) Act, 2010 (No. 30 of 2010) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, September 1, 2010 Bhadra 10, 1932 (Saka)

The following Act of Parliament received the assent of the President on the 31st August, 2010 and is hereby published for general information:-

THE PERSONAL LAWS (AMENDMENT) ACT, 2010

No. 30 of 2010

[31ST August, 2010]

An Act further to amend the Guardians and Wards Act, 1890 and the

Hindu Adoptions and Maintenance act, 1956.

BE it enacted by Parliament in the Sixty-first Year of the Republic of India as follows:-

CHAPTER I

PRELIMINARY

1. Short title:-This Act may be called the Personal Laws (Amendment) Act, 2010.

CHAPTER II

AMENDMENT TO THE GUARDIANS AND WARDS ACT, 1890

2. Amendment of section 19 of Act 8 of 1890:-In section 19 of the Guardians and Wards Act, 1890, for clause (b), the following clause shall be substituted, namely:-

"(b) of a minor, other a married female, whose father or mother is living and is not, in the opinion of the court, unfit to be guardian of the person of the minor, or"

CHAPTER III

AMENDMENTS TO THE HINDU ADOPTIONS AND MAINTENANCE ACT, 1956

3. Substitution of new section for section 8:- In the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956) (hereafter in this chapter referred to as the Hindu Adoptions and Maintenance Act), for section 8, the following section shall be substituted, namely:-

"8. Capacity of a female Hindu to take in adoption:- Any female Hindu who is of sound mind and is not a minor has the capacity to take a son or daughter in adoption:

Provided that, if she has a husband living, she shall not adopt a son or daughter except with the consent of her husband unless the husband has completely and finally renounced the world or has ceased to be a Hindu or has been declared by a court of competent jurisdiction to be of unsound mind."

4. Amendment of section 9:- In the Hindu Adoptions and Maintenance Act, in section 9.-

(i) for sub-section (2), the following sub-section shall be substituted, namely:-

"(2) Subject to the provisions of sub-section (4), the father or the mother, if alive, shall have equal right to give a son or daughter in adoption:

Provided that such right shall not be exercised by either of them save with the consent of the other unless one of them has completely and finally renounced the world or has ceased to be a Hindu or has been declared by a court of competent jurisdiction to be of unsound mind.";

(ii) sub-section (3) shall be omitted.

V. K. BHASIN,

Secy. to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,

PR. No.55 ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 39 ಕೇಶಾಪ್ರ 2010, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 21ನೇ ಅಕ್ಟೋಬರ್, 2010

2010ನೇ ಸಾಲಿನ ಆಗಸ್ಟ್ 25ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷೆನ್ 1ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Energy Conservation (Amendment) Act, 2010 (No. 28 of 2010) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, August 25, 2010 Bhadra 3, 1932 (Saka)

The following Act of Parliament received the assent of the President on the 24st August 2010 and is hereby published for general information:-

THE ENERGY CONSERVATION (AMENDMENT) ACT, 2010

No. 28 of 2010

[24TH August, 2010]

An Act to amend the Energy Conservation Act, 2001

BE it enacted by Parliament in the Sixty-first Year of the Republic of India as follows:-

1. Short title:- This Act may be called Energy Conservation (Amendment) Act, 2010.

CHAPTER II

2. Amendment of section 2:- In section 2 of the Energy Conservation Act, 2001 (hereinafter referred to as the principal Act),-

(i) in clause (a), for the words "an auditor possessing qualifications specified under", the words "an energy auditor accredited in accordance with the provisions of" shall be substituted;

(ii) in clause (b), for the words and figures "established under section 30", the words and figures "referred to in section 30" shall be substituted;

(iii) for clause (c), the following clause shall be substituted, namely;-

'(c) "building" means any structure or erection or part of structure or erection after the rules relating to energy conservation building codes have been notified under clause (p) of section 14 and clause (a) of section 15 and includes any existing structure or erection or part of structure or erection, which is having a connected load of 100 Kilowatt (kW) or contract demand of 120 Kilo-volt Ampere (PÀVA) and above and is used or intended to be used for commercial purposes;';

(iv) after clause (m), the following clauses shall be inserted, namely;-

'(ma) "energy savings certificate" means any energy savings certificate issued to the designated consumers under sub-section (1) of section 14A;

(maa) "equipment of appliance" means any equipment or appliance which consumes, generates, transmits or supplies energy and includes any device that consumes any form of energy and produces a desired work;'.

3. Amendment of section 9:- In section 9 of the principal Act, in sub-section (3), for the words "three years", the words "five years" shall be substituted.

4. Amendment of section 10:- In section 10 of the principal Act, in sub-section (1), for the words "The Central Government", the words "The Bureau" shall be substituted.

5. Amendment of section 13:- In section 13 of the principal Act, in sub-section (2),-

(i) after clause (a), the following clause shall be inserted, namely:-

(aa) recommend to the Central Government for issuing of the energy savings certificate under section 14A;";

(ii) for clause (p), the following clause shall be substituted, namely:-

"(p) specify, by regulations, the qualifications, criteria and conditions subjects to which a person may be accredited as an energy auditor and the procedure for such accreditation;";

(iii) in clause (r), for the words "energy managers", the words, "energy auditors and energy managers", shall be substituted;

(iv) after clause (s), the following clause shall be inserted, namely:-

"(sa) conduct examination for capacity building and strengthening of services in the field of energy conservation including certification of energy manages and energy auditors.".

6. Amendment of section 14:- In section 14 of the principal Act.,-

(i) in clause (c), for the proviso, the following provisos shall be substituted, namely:-

Provided that no notification prohibiting manufacture or sale or purchase or import of equipment or appliance shall be issued within a period of six months from the date of notification issued under clause (a) of this section:

Provided further that the Central Government may, having regard to the market share and the technological development having impact on equipment or appliance, and for reasons to be recorded in writing , extend the said period of six months referred to in the first proviso by a further period not exceeding six months;";

(ii) in clause (e), for the words "any user or class of users of energy as a designated consumer", the words "any user or class of users of energy in the energy intensive industries and other establishments as specified in the Schedule as a designated consumer" shall be substituted.

(iii) in clause (m), for the words "energy managers", the words "energy auditors and energy managers" shall be substituted.

(iv) in clause (a), for the words "such form and manner", the words "such form, the time within which and the manner" shall be substituted.

7. Insertion of new sections 14A and 14B:- After section 14 of the principal Act, the following sections shall be inserted. Namely:-

"14A Power of Central Government to issue energy savings certificate:-

(1) The Central Government may issue the energy savings certificate to the designated consumer whose energy consumption is less than the prescribed norms and standards in accordance with the procedure as may be prescribed.

(2) The designated consumer whose energy consumption is more than the prescribed norms and standards shall be entitled to purchase the energy savings certificate to comply with the prescribed norms and standards.

"14B. Power of Central Government to specify value of energy:-

The Central Government may, in consultation with the Bureau, prescribe the value of per metric ton of oil equivalent of energy consumed for the purposes of this Act.".

8. Amendment of section 26:- In section 26 of the principal Act,-

(a) in sub-section (1),-

(i) the words, brackets and letter "or clause (n)" shall be omitted;

(ii) for the words "ten thousand rupees", the words "ten lakh rupees" shall be substituted;

(iii) for the words "one thousand rupees", the words "ten thousand rupees" shall be substituted;

(b) after sub-section (1), the following sub-section shall be inserted, namely:-

"(1A)If may person fails to comply with the provisions of clause (n) of section 14, he shall be liable ta a penalty which shall not exceed ten lakh rupees and, in the case of continuing failure, with an additional penalty which shall not be less than the price of every metric ton of oil equivalent of energy, prescribed under this Act, that is in excess of the prescribed norms.".

9. Substitution of new section for section 30:- For section 30 of the principal Act, the following section shall be substitute, namely:-

"30. Appellate Tribunal:-

The Appellate Tribunal established under section 110 of the Electricity Act, 2003 (36 of 2003) shall, without prejudice to the provisions of the Electricity Act, 2003, be the Appellate Tribunal for the purposes of this Act and hear appeals against the orders of the adjudicating officer or the Central Government or the State Government or any other authority under this Act."

10. Insertion new section 31A:- After section 31 of the principal Act, the following section shall be inserted, namely:-

"31A. Procedure and powers of Appellate Tribunal:-

The provisions of section 120 to 123 (both inclusive) of the Electricity Act, 2003 (36 of 2003) shall, mutatis mutandis, apply to the Appellate Tribunal in the discharge of its functions under this Act as the apply to it in the discharge of its function under the Electricity Act, 2003.".

11. Omission of sections 32 to 43:- Sections 32 to 43 of the principal Act shall be omitted.

12. Amendment of section 54:- In section 54 of the principal Act, the words "Chairperson of the Appellate Tribunal or the Members of the Appellate Tribunal or officers or employees of the Appellate Tribunal or the Members of the State Commission or the" shall be omitted.

13. Amendment of section 56:- In section 56 of the principal Act, in sub-section (2).-

(i) in clause (j), for the words "energy managers", the words "energy auditors and energy managers" shall be substituted:

(ii) after sub-clause (l), the following clauses shall be inserted, namely:-

"(la) prescribing the procedure for issuing the energy savings certificate under sub-section (1) of section 14A ;

(laa) the value of per metric ton of oil equivalent of energy consumed under section 14B;";

(iii) clauses (s), (t) and (u) shall be omitted.

14. Amendment of section 58:- In section 58 of the principal act, in sub-section (2),-

(a) for clause (f), the following clause shall be substituted, namely:-

(f) the qualifications, criteria and conditions subject to which a person may be accredited as an energy auditor and the procedure for such accreditation under clause (p) of sub-section (2) of section 13;";

(b) in clause (h), for the words "energy managers", the words "energy auditors and energy managers" shall be substituted.

15.Amendment of the Schedule:- In the Schedule to the principal Act, in the heading, the words "specified as designated consumers" shall be omitted.

16. Amendment of certain enactment:- The enactment specified in the Schedule to this Act shall be amended in the manner specified therein.

THE SCHEDULE

(See section 16)

Amendment to the Electricity Act, 2003

(36 of 2003)

Amendment of section 110:- In section 110, for the words "under this Act", the words "under this Act or any other law for the time being in force" shall be substituted.

V. K. BHASIN,

Secy. to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

PR. No. 56

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 40 ಕೇಶಾಪ್ರ 2010, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 21ನೇ ಅಕ್ಟೋಬರ್, 2010

2010ನೇ ಸಾಲಿನ ಸೆಪ್ಟೆಂಬರ್ 8ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II, ಸೆಕ್ಷನ್ 1ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Mines and Minerals (Development and Regulation) Amendment Act, 2010 (No. 34 of 2010) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, September 8, 2010 Bhadra 17, 1932 (Saka)

The following Act of Parliament received the assent of the President on the 8th September 2010 and is hereby published for general information:-

THE MINES AND MINERALS (DEVELOPMENT AND REGULATION) AMENDMENT ACT, 2010

No. 34 of 2010

[8TH September, 2010]

An Act further to amend the Mines and Minerals (Development and Regulation) Act, 1957.

BE it enacted by Parliament in the Sixty-first Year of the Republic of India as follows:-

1. Short title and Commencement:- (1)This Act may the Mines and Minerals (Development and Regulation) Amendment Act, 2010.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Insertion of new section 11A:- In the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) (herein after referred to as the principal Act), after section 11, the following section shall be inserted, namely:-

Procedure in respect of coal or lignite:- '11A. The Central Government may, for the purpose of granting reconnaissance permit, prospecting licence or mining lease in respect of an area containing coal or lignite, select, through auction by competitive bidding on such terms and conditions as may be prescribed, a company engaged in,-

(i) production of iron and steel;

(ii) generation of power;

(iii) washing of coal obtained from a mine; or

(iv) such other end use as the Central Government may, by notification in the Official Gazette, specify.

and the State Government shall grant such reconnaissance permit, prospecting licence or mining lease in respect of coal or lignite to such company as selected through auction by competitive bidding under this action;

Provided that the auction by competitive bidding shall not be applicable to an area containing coal or lignite.-

(a) where such area is considered for allocation to a Government company or corporation for mining or such other specified end use:

(b) where such area is considered for allocation to company or corporation that has been awarded a power projects on the basis of competitive bids for tariff (including Ultra Mega Power Projects).

Explanation.- For the purposes of this section, "company" means a company as defined in section 3 of the Companies Act, 1956 (1of 1956) and includes a foreign company within the meaning of section 591 of that Act.

Amendment of section 13:- 3. In section 13 of the principal Act, in sub-section (2), after clause (c), the following clause shall be inserted, namely;-

"(d) the terms and conditions of auction by competitive bidding for selection of the company under section 11A;"

V. K. BHASIN,

Secy. Govt of the Govt. of India.

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